

## Securities and Exchange Commission

§201.1101

U.S. Code citation	Civil monetary penalty description	Year penalty amount was last adjusted	Maximum penalty amount pursuant to last adjustment	Adjusted maximum penalty amount
	For any other person .....	2009	75,000	80,000
	For natural person/fraud .....	2009	75,000	80,000
	For any other person/fraud .....	2009	375,000	400,000
	For natural person/substantial losses or risk of losses to others.	2009	150,000	160,000
	For any other person/substantial losses or risk of losses to others.	2009	725,000	775,000
15 U.S.C. 80a-9(d) .....	For natural person .....	2009	7,500	7,500
	For any other person .....	2009	75,000	80,000
	For natural person/fraud .....	2009	75,000	80,000
	For any other person/fraud .....	2009	375,000	400,000
	For natural person/substantial losses to others/gains to self.	2009	150,000	160,000
	For any other person/substantial losses to others/gain to self.	2009	725,000	775,000
15 U.S.C. 80a-41(e) .....	For natural person .....	2009	7,500	7,500
	For any other person .....	2009	75,000	80,000
	For natural person/fraud .....	2009	75,000	80,000
	For any other person/fraud .....	2009	375,000	400,000
	For natural person/substantial losses or risk of losses to others.	2009	150,000	160,000
	For any other person/substantial losses or risk of losses to others.	2009	725,000	775,000
15 U.S.C. 80b-3(i) .....	For natural person .....	2009	7,500	7,500
	For any other person .....	2009	75,000	80,000
	For natural person/fraud .....	2009	75,000	80,000
	For any other person/fraud .....	2009	375,000	400,000
	For natural person/substantial losses to others/gains to self.	2009	150,000	160,000
	For any other person/substantial losses to others/gain to self.	2009	725,000	775,000
15 U.S.C. 80b-9(e) .....	For natural person .....	2009	7,500	7,500
	For any other person .....	2009	75,000	80,000
	For natural person/fraud .....	2009	75,000	80,000
	For any other person/fraud .....	2009	375,000	400,000
	For natural person/substantial losses or risk of losses to others.	2009	150,000	160,000
	For any other person/substantial losses or risk of losses to others.	2009	725,000	775,000
15 U.S.C. 7215(c)(4)(D)(i) .....	For natural person .....	2009	120,000	130,000
	For any other person .....	2009	2,375,000	2,525,000
15 U.S.C. 7215(c)(4)(D)(ii) .....	For natural person .....	2009	900,000	950,000
	For any other person .....	2009	17,800,000	18,925,000

[78 FR 14181, Mar. 5, 2013]

### Subpart F—Fair Fund and Disgorgement Plans

AUTHORITY: 15 U.S.C. 77h-1, 77s, 77u, 78c(b), 78d-1, 78d-2, 78u-2, 78u-3, 78v, 78w, 80a-9, 80a-37, 80a-39, 80a-40, 80b-3, 80b-11, 80b-12, and 7246.

SOURCE: 69 FR 13180, Mar. 19, 2004, unless otherwise noted.

#### §201.1100 Creation of Fair Fund.

In any agency process initiated by an order instituting proceedings in which the Commission or the hearing officer issues an order requiring the payment

of disgorgement by a respondent and also assessing a civil money penalty against that respondent, the Commission or the hearing officer may order that the amount of disgorgement and of the civil penalty, together with any funds received pursuant to 15 U.S.C. 7246(b), be used to create a fund for the benefit of investors who were harmed by the violation.

[70 FR 72570, Dec. 5, 2005]

#### §201.1101 Submission of plan of distribution; contents of plan.

(a) *Submission.* The Commission or the hearing officer may, at any time,